BILL NO. S-86-02-10 (as amended)

SPECIAL ORDINANCE NO. S- 22-86

AN ORDINANCE amending the Animal Control Code of the City of Fort Wayne, Indiana

WHEREAS, the City is desirous of amending its Animal Control Ordinance; and

WHEREAS, such amendments will be of a benefit and improvement to animal control.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Animal Control Ordinance of the City of Fort Wayne, Indiana, is hereby amended as follows:

Sec. 6-1. Terms Defined.

Owner: A person having the right of property or custody of a dog or cat or who keeps or harbors a dog or cat or knowningly permits a dog or cat to remain on or about any premises occupied by that person. Subject to restrictions set forth in Section 6-5.

Pet Shop: Any person, group of persons, partnership or corporation, whether operated separately or in connection with another business enterprise, except a licensed cattery, kennel, or BREEDERS, that buys, sells or offers for sale any species of animal.

Sec. 6-5 Lost or Stray Animals. Persons finding a stray animal are to notify the Department of Animal Control within forty-eight (48) hours. At the discretion of the Department, the animal may be kept by the finder and a found report left with the Department, to enable the finder an opportunity to return the animal

to its rightful owner. Upon demand by the Department of Animal Control, any found animal will be surrendered to the Department and held for three (3) working days, before a disposition is made. Persons finding an animal are obligated to comply with all rules and regulations of this chapter pertaining to humane care and treatment of animals, while said animal is in their custody awaiting return to its actual owner. With the exception of the Allen County S.P.C.A., the finder will be considered the found animal's owner for the purposes of this chapter only after the animal is in the finder's custody for thirty (30) continuous days.

Sec. 6-14. Circuses, Animal Concessions and Commercial Animal Exhibits.

Any person who is responsible for a circus, animal concession, or a commercial animal exhibit as defined by this chapter must obtain a circus, animal concessions, or commercial animal exhibit permits.

(7) Circus, Animal Concession, and Animal Exhibits Permits:

Fee.....$ 100.00

(a) Permits are to be issued for a term of one year, commencing with the date of issuance.

(b) Permits will be issued after inspection approved by the Department of Animal Control and/or Board of Health and verification of same submitted to controller's office and provided all requirements of this chapter are met.

(c) Prior to engagements, permit holders will furnish the Department of Animal Control a schedule of dates and times of exhibits or performances so the Department of Animal Control can perform periodic inspections.

Sec. 6-21. Enumerated.

(1) Violators of this chapter shall be fined as follows: Class A offense: Not less than fifty dollars ($50.00) nor more than one thousand dollars ($1,000.00). Class A offense: All those offenses having to do with the humane care and/or treatment of animals, unless otherwise specified. For purposes of this chapter, Class A offenses shall be section 6-4(1), (2), (3), (5), (9), (10), (11), (12), (13), (14), (15), (17), (18), (19), (24), (25), (27). Class B offense: Not less than fifty dollars ($50.00) nor more than one thousand dollars ($1,000.00). Class B offense: Those offenses, unless otherwise specified, having to do with nuisance violations. For purposes of this chapter, Class B Offenses shall be section 6-4(6), (7), (16), (20), (21), (22), (26).

Class C offense: Not less than fifteen dollars ($15.00) nor more than one thousand dollars ($1,000.00). Class C offense: Those violations, unless otherwise specified, having to do with permits and licenses. For purposes of this chapter, Class C offenses shall be section 6-4(4), (8), (23); section 6-7(1), (2); section 6-8(1), (2), (3), (4), (5); section 6-9(1), (2), (3), (4), (5), (6), (7), (8), (9); section 6-10(1), (2), (3), (4), (5), (6), (7), (8), (9); section 6-11(1), (2), (3); section 6-12(1), (2); section 6-13(1), (2), (3), (4), (5), section 6-14.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Councilmember

APPROVED AS TO FORM
AND LEGALITY

Bruce O. Boxberger, City Attorney

Read the first time in full and on motion by Eisbart, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, ~~City-County Building~~, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock ____.M.,E.S.T.

DATE: 2-11-86

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Eisbart, seconded by Stier, and duly adopted, placed on its passage. PASSED ~~(LOST)~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	9				
BRADBURY	✓				
BURNS	✓				
EISBART	✓				
GiaQUINTA	✓				
HENRY	✓				
REDD	✓				
SCHMIDT	✓				
STIER	✓				
TALARICO	✓				

DATE: 2-25-86

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE (~~RESOLUTION~~) NO. 1-22-86 on the 25th day of February, 19 86,

ATTEST: (SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of February, 19 86, at the hour of 2:30 o'clock P.M.,E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 3rd day of March, 19 86, at the hour of 3:00 o'clock P.M.,E.S.T.

WIN MOSES, JR., MAYOR

BILL NO. S-86-02-10 (as amended)

SPECIAL ORDINANCE NO. S- _____

AN ORDINANCE amending the Animal Control Code of the City of Fort Wayne, Indiana.

WHEREAS, the City is desirous of amending its Animal Control Ordinance; and

WHEREAS, such amendments will be of a benefit and improvement to animal control.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Animal Control Ordinance of the City of Fort Wayne, Indiana, is hereby amended as follows:

Sec 6-1. Terms Defined.

delete

Animal Concession: Any person, group of persons, partnership, or corporation who for compensation has any animal available for hire or on display.

Owner: A person having the right of property or custody of a dog or cat or who keeps or harbors a dog or cat or knowingly permits a dog or cat to remain on or about any premises occupied by that person. Subject to restrictions set forth in Section 6-5.

Pet Shop: Any person, group of persons, partnership or corporation, whether operated separately or in connection with another business enterprise, except a licensed cattery, kennel, or BREEDERS, that buys, sells or offers for sale any species of animal.

delete

Sec. 6-4. Animal Care. Enumerated.

(2) Hitching or Tying. No animal shall be hitched, tied or fastened by any rope, chain or cord that is directly attached to the animal neck. Animals that must be tied, hitched or fastened to restrain them must wear a properly fitted collar or harness MADE OF LEATHER OR NYLON

NOT OF THE CHOKER TYPE. THIS IS NOT TO PROHIBIT THE PROPER USE OF CHOKER COLLAR IN THE TRAINING OF ANIMALS. The tying device shall be attached to the animal's collar or harness AND SHALL BE AT LEAST 6' IN LENGTH.

(3) Food and Water. All animals shall have fresh, potable drinking water and be provided with food that is nutritional for the species IN ADEQUATE AMOUNTS TO MAINTAIN GOOD HEALTH.

delete

(15) Training Methods. No animal may be induced or encouraged to perform through the use of chemical, mechanical, electrical, or manual devices in a manner which will cause or is likely to cause physical injury or suffering. Prohibited devices include, but ar not limited to: electrical prods and electrical (shock) collars.

Sec. 6-5 Lost or Stray animals. Persons finding a stray animal are to notify the Department of Animal Control within forty-eight (48) hours. At the discretion of the Department, the animal may be kept by the finder and a found report left with the Department, to enable the finder an opportunity to return the animal to its rightful owner. Upon demand by the Department of Animal Control, any found animal will be surrendered to the Department and held for three (3) working days, before a disposition is made. Persons finding an animal are obligated to comply with all rules and regulations of this chapter pertaining to humane care and treatment of animals, while said animal is in their custody awaiting return to its actual owner. With the exception of the Allen County S.P.C.A., the finder will be considered the found animal's owner for the purposes of this chapter only after the animal is in the finder's custody for thirty (30) continuous days.

Sec. 6-13. Pet Shop Permit.

delete

(2) The permit holder shall furnish the purchaser a written statement at the time of sale containing the following:

(e) Medication and prophylactic immunization and dates administered.

Sec. 6-14. Circuses, animal concessions and Commercial Animal Exhibits.

Any person who is responsible for a circus, animal concession, or a commercial animal exhibit as defined by this chapter must obtain a circus, animal concessions, or commercial animal exhibit permit.

Sec. 6-17. Application: Term.

delete

(1) Delete (a).

(2) Registration and permits are to be issued for a term of one year, commencing with the date of issuance.

Sec. 6-19. Fees.

(1) Pet registration:

For the year 1986 which shall commence on January 1, and end December 31.

Each altered dog or cat ..... $ 4.00

Each unaltered dog or cat $15.00

(7) Circus, Animal Concession, and Animal Exhibit Permits:

Fee ..... $ 100.00

(a) Permits are to be issued for a term of one year, commencing with the date of issuance.

(b) Permits will be issued after inspection approved by Dept. of Animal Control ~~Shelter~~ and/or Board of Health and verification of same submitted to controller's office and provided all requirements of this chapter are met.

(c) Prior to engagements, permit holders will furnish the Dept. of Animal Control ~~Shelter~~ a schedule of dates and times of exhibits or performances so the Dept. of Animal Control ~~Shelter~~ can perform periodic inspections.

BILL NO. S-86-02-10 (as amended)

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the Animal Control Code of the City of Fort Wayne, Indiana

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) (~~RESOLUTION~~) Do Pass

YES		NO
	BEN A. EISBART CHAIRMAN	
Janet G. Bradbury	JANET G. BRADBURY VICE CHAIRWOMAN	
	DONALD J. SCHMIDT	
	THOMAS C. HENRY	
Charles B. Redd	CHARLES B. REDD	

CONCURRED IN 2-25-86

SANDRA E. KENNEDY
CITY CLERK